

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

z4 TECHNOLOGIES, INC.

Plaintiff

v.

**1. MICROSOFT CORPORATION, and
2. AUTODESK, INC.**

Defendants.

6:06-cv-00258-LED

DEFENDANT AUTODESK, INC.'S ANSWER

Defendant Autodesk, Inc. (“Autodesk”), by and through its undersigned counsel, as and for its Answer to Plaintiff’s Amended Complaint for Damages for Patent Infringement (the “Complaint”) filed June 26, 2006, states as follows:

ANSWER

1. Autodesk lacks sufficient knowledge to admit or deny the allegations of paragraph 1 and therefore denies those allegations.
2. Autodesk lacks sufficient knowledge to admit or deny the allegations of paragraph 2 and therefore denies those allegations.
3. Autodesk admits the allegations of paragraph 3.
4. Autodesk admits the allegations of paragraph 4.
5. Autodesk admits the allegations of paragraph 5.
6. Autodesk admits that z4 brought suit against Microsoft and Autodesk for infringement of U.S. Patent No. 6,044,471 and U.S. Patent No. 6,785,825 (the “z4 Patents”) in the matter of *z4 Technologies, Inc. v. Microsoft Corporation et al.*, Case No. 6:06-CV-142.

Autodesk lacks sufficient knowledge regarding the remaining allegations of paragraph 6 and therefore denies those allegations.

7. Autodesk admits the allegations of paragraph 7, but adds that it intends to appeal the jury's verdict and the Court's denial of Autodesk's post-trial motions, including Autodesk's motions for judgment as a matter of law and motion for new trial.

8. Autodesk admits that the Court entered an Order at Docket No. 394 in Case No. 6:06-CV-142.

9. Autodesk lacks sufficient knowledge to admit or deny the allegations of paragraph 9 and therefore denies those allegations.

DEMAND FOR RELIEF

10. Autodesk denies that z4 is entitled to any of the relief requested in Section IV paragraphs A-D of z4's Amended Complaint for Damages for Patent Infringement.

AFFIRMATIVE DEFENSES

11. Autodesk intends to appeal the jury's verdict and the Court's denial of Autodesk's post-trial motions, including Autodesk's motions for judgment as a matter of law and motion for new trial. Autodesk contends it did not infringe the patents-in-suit, that the asserted claims of the patents-in-suit are invalid, and that the patents-in-suit are unenforceable. Autodesk further contends that the jury's verdict on damages, and the Court's order upholding that verdict, are not supported by the evidence.

JURY DEMAND

12. Autodesk demands a trial by jury of all issues so triable.

Dated: August 25, 2006

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Matthew C. Bernstein

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Counsel for Defendant
AUTODESK, INC.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **DEFENDANT AUTODESK INC.'S ANSWER** was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rules CV-5(e), following counsel was served with a true and correct courtesy copy of the foregoing **DEFENDANT AUTODESK INC.'S ANSWER** by First Class Mail on August 25, 2006.

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/s/ Matthew C. Bernstein

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